REMARKS

Claims 1 and 4-27 are pending in the application and stand rejected by the examiner. Claim 3 has been cancelled herein, thereby rendering moot the 35 U.S.C. § 112, second paragraph rejection. Assignee traverses the instant claim rejections, and a new abstract has been provided herein to address the specification objection.

Claim Rejections - 35 U.S.C. § 102(a)

Claims 1-27 stand rejected under 35 U.S.C. § 102(a) in view of the article entitled, "A Shift In Check Clearing And Settlement Technology" by Mark Craig (hereinafter "Shift"). Assignee respectfully disagrees with the instant rejections.

For example, claim 1 is patentable over the Shift article. Claim 1 is directed to a computer-implemented method for the sorting of check files and facilitating the direct distribution of the check files to multiple endpoints. Claim 1 specifies that the receiving of an unsorted check file, processing of the unsorted check file, associating a sorted check file with a corresponding endpoint, and directly distributing the sorted check files are performed by a bank that captures check images of checks the bank has accepted for deposit.

In contrast, the cited Shift article teaches only operations that a third party (i.e., "Endpoint Exchange") performs with respect to checks. For example, Shift teaches that "Endpoint Exchange can feed check images to third party check image archive providers by collecting 100% of prime capture from a depositing institution, separating the exchangeable items and delivering them to payor institutions, and delivering the 'all items' file to an archive provider. ***Endpoint Exchange*** accomplishes all of this in 'real

time', with 'image-first' technology." (See the section entitled "Cutting The Check (Handling)" in Shift; emphasis added.)

This is contrary to the features recited in claim 1 which require that a bank perform operations, such as the receiving, processing, associating, and directly distributing steps of claim 1. These features of claim 1 are supported in assignee's specification. As an illustration, page 9, lines 15-17 of assignee's specification describe a bank having a check image sorter. Because of such lack of disclosure of the Shift article of these features in claim 1, claim 1 is patentable over Shift and should proceed to issuance.
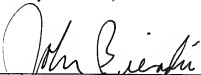
Assignee respectfully disagrees with other positions of the examiner. For example, claim 7 recites a first sorting of the check images and related check image data according to the primary endpoints, and further recites a second sorting of the check images and related check image data according to the plurality of endpoints associated with the primary endpoint. The examiner maintains that these limitations are disclosed in Shift in the section entitled "Cutting The Check (Handling)" and the last paragraph of the section entitled "Just As Electronic Check Volume Is Increasing." Assignee respectfully disagrees that these passages disclose such limitations of claim 7. These passages of Shift are merely disclosing that a third party (i.e., "Endpoint Exchange") is providing a national check image exchange. These passages do not provide any details of multiple sortings of check images, let alone a second sorting of the check images and related check image data according to the plurality of endpoints associated with the primary endpoint as required by claim 7. Because of such lack of disclosure in Shift of these features in claim 7, claim 7 is patentable and should proceed to issuance.

Independent claims 15, 17, and 19 recite similar features as claim 1. Accordingly, these claims are allowable for analogous reasons as claim 1. Independent claim 27 has been amended to recite that the receiving, processing, associating, and directly distributing processes are performed by a company who is the payee designated on checks contained in the received check files. Support for this amendment is found in assignee's specification, such as on page 9, lines 7-12. There is no disclosure of such features of claim 27 in the cited art. Accordingly claim 27 is allowable and should proceed to issuance.

CONCLUSION

For the foregoing reasons, assignee respectfully submits that the pending claims are allowable. Therefore, the examiner is respectfully requested to pass this case to issue.

Respectfully submitted,

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